

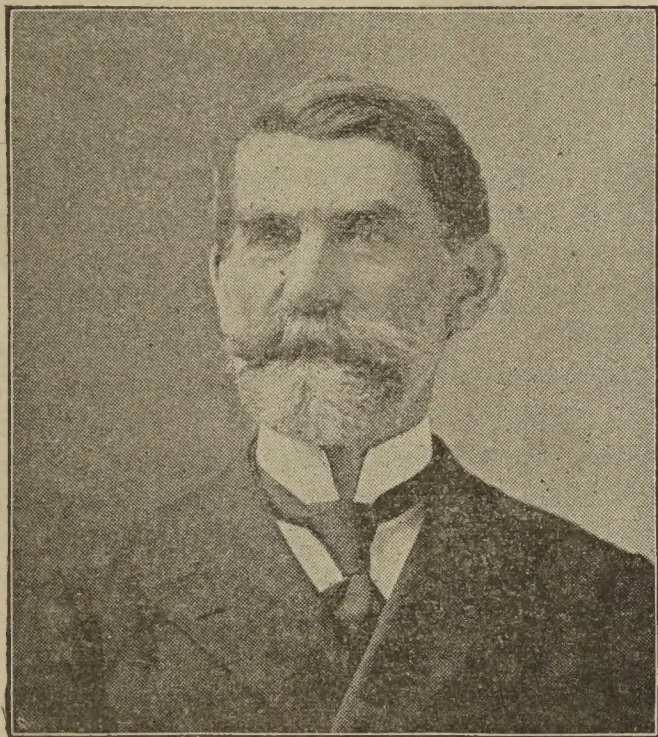
TRUTHS FOR THE TIMES.

SABBATH SERIES.

The Civil Sabbath.

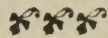
BY

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THE CIVIL SABBATH.



In those states where there are Sunday laws, there are really two Sabbaths, entirely distinct in origin, character and authority; the one civil, the other religious. The latter is divine in its origin and authority and sacred in character; the former—the civil Sabbath—is wholly human in its origin and authority and secular in character. Let it be remembered that in the following discussion we are concerned not with the religious Sabbath and its sanctity, but with the civil Sabbath, its character and its basis. Because these two Sabbaths coincide, they are very easily and commonly confounded, and there results much popular misconception as to the meaning and value of Sunday laws. They are frequently attacked on the ground that religious legislation is inconsistent with religious liberty and the complete separation of church and state, and they are perhaps as frequently defended on the ground that the Sabbath is a divine institution and that this is a Christian nation, indicating that neither party recognizes the existence of a civil Sabbath or comprehends the fact that our Sunday laws are not religious, but secular.

It is true that the above distinction has not always been recognized. When there was in this country a union of church and state, Sunday laws were religious in character and commanded attendance upon church. But Sunday

laws now require no religious observance; neither do they work any hardship in the case of those who observe the seventh day of the week as the Sabbath rather than the first, because all such persons are very properly exempted from their application. Nearly all objections to Sunday laws are due to misconceptions of their character and aim.

A Common Misapprehension.

It is commonly supposed that work on the Sabbath is forbidden by law, and that certain Sunday amusements are prohibited because believed by a majority to be wicked. This misapprehension leads that element of our population which has been educated to see nothing wrong in work or in certain amusements on the Sabbath to look on such laws as fanatical and oppressive. The citizen holding the Continental view of the Sabbath, says: "Your conscience tells you it is wrong to go to the theatre on the Sabbath; mine does not. Very well; you obey your conscience, and I will obey mine. Why should you, simply because you happen to be in majority, force the dictates of your conscience on me? This is a country where we pretend to have freedom of conscience."

"But," says the friend of Sunday legislation, which he supposes is based on the holiness of the day, "the desecration of the Sabbath violates God's law. This is not simply a matter of opinion; your Sunday work and amusements are declared to be wrong by the Scriptures."

"Suppose," replies the other, "that I do not admit the authority of your Scriptures; or if I do, shall the state forbid and punish whatever

the Scriptures pronounce wrong? The Bible teaches that covetousness and love of the world are wrong, shall the state, therefore, prohibit them under penalty of fine or imprisonment?"

"But," says his opponent, "Sabbath breaking violates the common code of morals, while worldliness does not."

"Very well," replies the other, "envy and lying violate the common code of morals; should they therefore be made punishable by the state?"

At about this point in the discussion the advocate of Sunday legislation based on the sacred character of the day probably says: "Well, this is a Christian nation, and if you don't like our institutions you can go back to Europe, where you belong."

And the opponent of Sunday legislation very likely replies: "Until there is a law expelling me from the country, I shall do as I please about staying or going," and I am afraid he adds, "meanwhile, I shall exercise my liberty to regard you as a bigot and your Sabbath laws as oppressive."

Much bad blood and much injury to the cause of Sunday observance result from the common failure of both the opponents and friends of Sunday laws to perceive that they are wholly secular, and that they in no wise depend for justification on the divine authority and sacred character of the religious Sabbath.

Doubtless the civil Sabbath would never have been instituted if there had not been a sacred Sabbath; it is nevertheless true that if the words, "Remember the Sabbath day to keep it holy," had never been uttered, there would be

exactly the same *ground* for Sunday legislation as now exists—a ground broad and solid.

Sunday laws prohibit labor on the first day of the week, except works of necessity and mercy, and forbid certain amusements. These two classes of prohibitions rest on two different grounds; first the duty of the state to secure to every man the right to rest on the Sabbath, and second, the duty of the state to guard the leisure of the day from uses dangerous to public morals.

The Physical Necessity of the Sabbath.

We will consider, first the right of every man to a day of rest and the duty of the state to secure to him that right. The right of weekly rest is based on its necessity. It has been shown by scientific inquiry pursuing different lines of investigation that the rest of the night does not entirely restore the vigor lost by the toil of the preceding day, and that without a weekly day of rest there is a gradual loss of strength and health. No physiological or hygienic fact is better established. Much testimony of scientific men might be cited, but we must let the statement of an eminent physician of New York, the late Dr. Willard Parker, suffice. He says: "The Sabbath must be observed as a day of rest. This I do not state as an opinion, but knowing that it has its foundation upon a law in man's nature as fixed as that he must take food, or die." Now, this *necessity* of rest gives to every man the right to rest, and this right needs the civil law for its protection. Most men are employees, engaged in shops and on farms and the like. They are subject to the

authority of employers, who can usually discharge them at pleasure. Employers, stimulated by competition, usually want to get the most possible out of their employees. It has accordingly been found necessary to protect the rights of workmen by legislation which specifies the number of hours which shall constitute a day's work. For the same reason it has been found necessary to protect the laborer's weekly rest day by law, otherwise the power to discharge would compel to unwilling work. See how it is on most railways. Trainmen are forced to work seven days a week or lose their situations.

Several years ago the locomotive engineers of one of the great railways of the country addressed a petition to its president, asking for the removal of Sunday trains and complaining of their Sunday work as a great hardship. They said: "We have borne this grievance patiently, hoping every succeeding year that it would decrease; but after a long and weary service we do not see any signs of relief, and we are forced to come to you with our trouble, and most respectfully ask you to relieve us from Sunday labor, so far as it is in your power to do so. This never-ending toil ruins our health and prematurely makes us feel worn out like old men, and we are sensible of our inability to perform our duty as well when we work to an excess." They ably answered the objections which would naturally lie against granting their petition, and pledged themselves that with Sunday rest they would do more work in six days than they then did in seven. But this petition did not procure for them the rest so much needed

and desired. The *law* is necessary to secure to those men their rights. Not because the Sabbath is a holy day, but because railway men have a right to Sunday rest should the state prohibit Sunday trains, except such, if any, as may be shown to be absolutely necessary. The necessity of law to protect the Sunday rights of one class of laborers illustrates that necessity for all classes. Instead of robbing men of their liberties, as we sometimes hear, Sunday laws are designed to secure to every man liberty to rest.

The Financial Benefits Growing Out of Sunday Rest.

“But,” it is asked, “suppose a man does not wish to rest—prefers to work—shall the state limit his industry, thus interfering with his earnings?”

Sunday laws do not reduce earnings. If men labored every day in the year they would do no more work than they do when resting one day in seven. Indeed, they would do even less. This has been abundantly proved by many experiments. Employers, therefore, could afford to pay no more for the year's service than they now pay. That is, without the weekly rest, men would be compelled to do seven days' work for six days' wages. Sunday business is frequently a losing business financially; but this is not the reason that the law forbids it. Under our civilization the *liberty of rest for each* is secured only by a *law of rest for all*.

Lord Macaulay, in a speech delivered in the House of Commons in 1846, said: “Why not say, If it be a good thing for the people of London to shut their shops one day in seven,

they will find it out, and shut their shops without a law? Sir, the answer is obvious. I have no doubt if you were to poll the shopkeepers of London, you would find an immense majority, probably one hundred to one, in favor of closing shops on Sunday; and yet it is absolutely necessary to give to the wish of the majority the sanction of a law; for if there were no such law, the minority, by opening their shops, would soon force the majority to do the same." If you do not wish to rest on the Sabbath, the state will not stop your work for your good, but for the good of those who do value their Sunday rest, but who would, in a sense, be compelled to work by your working. In a New York town, all the barbers in the place except one petitioned the City Council to pass an ordinance closing their shops on the Sabbath. That one rendered a law necessary to protect the rights of the others.

A coal dealer found that competition in business had robbed him of his Sunday rest. "I don't so much as get time to go to early mass," said he, "and I am compelled to keep busy from morning till night. I can't refuse them. If I do, they will quit me altogether, and I shall lose my business. *I wish to heaven that someone would prosecute me!*" Because at liberty to work, he felt, under the circumstances, compelled to work, and desired the law, even at the expense of prosecution, to secure him the liberty of rest.

A man's doing business on the Sabbath does not actually compel his competitors to do likewise, but it does inflict a loss on those who refuse. All together, they sell but little more in

seven days than they would sell in six; and their profits are less because their expenses are increased. But if some do not sell, those who do draw away a part of their custom and thus inflict loss on them. Of course a man of Christian principle will suffer the loss rather than violate the Sabbath in self-defense, but he has a right to call on the state to protect him from that loss. Hence the principle that was laid down that the liberty of rest for each is dependent on a law of rest for all.

Why Amusements Are Prohibited.

Let us turn now to consider, secondly, the other class of Sunday laws, those which prohibit certain amusements on the first day of the week. There are many among us who complain that these laws infringe their liberties; many who, mistaking their meaning, suppose that they are an attempt to enforce the observance of a Puritan Sabbath, and who accordingly denounce them as religious tyrannies. But laws prohibiting certain amusements on the Sabbath do not rest on a religious basis, any more than those forbidding work on that day. They find a sufficient ground in the duty of the state to guard the leisure of the day from uses dangerous to public morals. Let us look at this ground.

The right of self-defense is, with the state as with the individual, a supreme right. Any government, therefore, which has a right to exist has a right to make such provisions as are necessary to its existence. This is the rock foundation on which rests our common school system. The education of children is a grand

thing for them, but that is not the reason that the school tax is levied. What right has the state to take money from your pocket simply to bestow a personal favor on my children? None at all. The public-school tax is justifiable on the ground that ignorance is dangerous to republican institutions, that popular education is necessary to the public safety. You perhaps want your boy's services at the plow, the bench or the counter; but no, the state curtails your liberties, lays its hand on that boy and puts him in school. And the compulsory education law, where it exists, is constitutional and right, because it rests on exactly this same foundation, that ignorance is dangerous to the state.

It is no less true that *vice* is dangerous to the state. Popular government is secure only when it rests on the two foundation stones of virtue and intelligence. Neither blundering goodness nor unscrupulous knowledge can sustain the fabric of our free institutions. There has been drawn by the hand of God, in the very nature of things, a deadline of popular ignorance and a deadline of popular vice; and the moment that the average man sinks to either one of these lines, our free institutions will perish.

The state has exactly the same right to protect itself from immorality as from ignorance. Indeed its obligation to foster morals is even greater than its duty to diffuse intelligence, for the former is the more essential to its existence. A moral community can sustain a popular form of government with comparatively little intelligence, but an intelligent community, having little moral sense, would soon be compelled to resort to a centralized form of government or

become a prey to anarchy. Such has been the history of republics. Look at those of Greece and Rome. There was greater popular intelligence at the time of their destruction than when they were founded, but morals had become corrupted, and this foundation stone having given way, the superstructure fell. If the standard of popular morals is steadily lowered in this country, the voice of history, which is the voice of Almighty God, declares that the day is set for the destruction of our popular liberties.

Sabbath Amusements Corrupt Morals.

Now the devotion of the Sabbath to popular amusements serves to corrupt popular morals. Blackstone says: "A corruption of morals usually follows a profanation of the Sabbath." Observations on the Continent and wherever Continental views of the Sabbath have prevailed serve to confirm this statement.

A holiday Sabbath seems to be peculiarly conducive to intemperance. Besides the temptation of opportunity, the lack of rest prevents the restoration of vigor, and the jaded frame summoned to its accustomed burden, and feeling unequal to the load, learns to lean on some stimulus. It may be replied that a holiday Sunday affords the rest of recreation. But recreation is no better substitute for Sunday rest than for night rest. People who dance all night and call it recreation do not find it equivalent to sleep; and those who devote their weekly rest day to holiday uses do not find its recreation equivalent to Sunday rest. Science has demonstrated that man needs to rest one day in seven as really as he needs to rest at night; and this is

peculiarly true of the intense life of modern times and of western civilization. Recreation is a necessity, but when it is made a substitute for the rest of either the night or the Sabbath, the system feels a loss, which there is a temptation to supply by means of stimulants; hence the tendency of a holiday Sunday to intemperance.

Again, a holiday Sabbath is destructive of popular morality because it is hostile to religion, which is the root of morals. It entices the youth away from the church, the Sunday school and the home, which are the sources of moral instruction and influence. "Reason and experience," said Washington "both forbid us to expect that national morality can prevail in exclusion of religious principles. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens."

Popular government springs, of course, from popular rights, and, be it observed, our rights are based on our duties. Christ did more for personal liberty in the world, when he taught personal accountability, than all the political reformers that have ever lived. It is because I have obligations to God and my fellows, from which no man can release me, that I have rights of which no man shall rob me. And it is those who most faithfully meet their obligations who most clearly recognize and tenaciously cling to their rights.

The Christian religion does more than all else to lead men to a recognition both of their rights and duties. It is, therefore, the great buttress

of popular morality and of popular government. Chancellor Kent wrote, "Whatever strikes at the root of Christianity tends manifestly to the dissolution of civil government." Mirabeau said, "France needs God as well as liberty." Neither France nor any other nation can turn her face toward liberty while she turns her back on God.

Religion impresses on us the reality of God, our accountability to Him, and our immortality; and from these greatest of all truths spring the most powerful motives to discharge our duties to our fellow men, without which there can be no popular morals, and the most powerful motives to individual self-control, without which there can be no popular self-government. Inasmuch, therefore, as the Christian religion is the root of popular morals and of popular freedom, any uses of the Sabbath which are destructive of religion are also destructive of the state, and should, therefore, be restrained by the state, not *because* they are hostile to religion, but because, *being* hostile to religion, they are subversive of morals, on which popular government rests. The root of the tree is not valued for its own sake. If the tree were gone, the root would be dug up; but the root is protected for the sake of the tree to whose life it is necessary.

The Supreme Court of New York, in sustaining a Sunday law, says: "The act complained of here compels no religious observance, and offenses against it are punishable not as sins against God, but as having a malignant influence on society." This is sufficient ground for laws which restrain and prohibit many popular amusements on the Sabbath.

Intimate Relations with Popular Liberty.

While the two Sabbaths, civil and religious, are distinct in origin, character and authority, it is true that as a matter of fact they are found together. Where there are no restrictive Sunday laws, there the Sabbath, if it exists at all, is a holiday rather than a holy day; and where there is no sacred day there is little civil liberty. If this is doubted, compare those nations whose Sabbath is a sacred day with others whose day of weekly rest is a holiday. How much of popular government is there in the world outside of Switzerland, England, Scotland, the British colonies and the United States? And these are the lands in which the Sabbath is most commonly observed as a holy day. France has hitherto struggled in vain for civil liberty, and France has had no sacred day. And it is significant that now, when her republic is giving promise of permanence, there has appeared an effort to gain a civil Sabbath.

William H. Seward wrote: "I need not assure you that every day's experience confirms the opinion that the ordinances which require the observance of one day in seven, and the Christian faith which hallows it, are our chief security for civil and religious liberty, for temporal blessings and spiritual hopes."

I think it was Hallam who said: "A holiday Sabbath is the ally of despotism." So commonly has this truth been recognized that it has passed into a popular proverb that "the Sabbath is the bulwark of free institutions."

Let no man attack the Sabbath, or the laws thrown around it, in the name of liberty.

Its enemies should march under the black flag of license or the flaming standards of anarchy. All laws may be said to limit individual liberty, but just laws restrain each in the interest of all ; they draw the circumscribing line only where the liberty of one overlaps that of many. Hence law, in a much larger sense, is the guardian of liberty. This is true of our Sunday laws. Whatever can be said against them, as infringing personal liberty, may be urged with equal force against our common school laws; they rest on the same foundation and are alike pillars of our free institutions.

The necessity then of a civil Sabbath and of adequate laws to protect it should create a public sentiment which will demand wise Sunday legislation and which will abundantly sustain the law.

The Sunday laws of many of our older states, enacted when ideas of Sabbath observance were much more strict than now, remain unchanged, and therefore, for the most part, unenforced. There would seem to be a prevalent feeling among the friends of Sunday laws that it is almost sacrilegious to modify them; and as the laws of earlier generations are not sustained by the public sentiment of to-day, they in many cases are become dead letters. But as Sunday laws rest on a basis wholly secular and find their origin and authority in the will of the people, they are of course as open to amendments which shall keep them in harmony with the intelligent popular will as any other laws which the people enact.